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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8
9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 FRANKIE ALLEN PERAZA,

13 Defendant.
14

Case No.: 2:14-cr-00229-APG-NJK

ORDER

15 **FINDINGS OF FACT**

16 Based on the Defendant's Emergency Motion for Extended Library Time filed by Frankie
17 Peraza, currently appearing in this action in proper person, with the assistance of stand-by
18 counsel, Telia U. Williams, and good cause appearing therefore, the court finds that the motion
19 should be granted for the following reasons:
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21 1. Frankie Peraza is *pro se* and will be in trial in United States v. Peraza, 2:14-cr-00229-
22 APG-NJK starting on September 11, 2017.

23 2. Mr. Peraza is in custody at the Nevada Southern Detention Center in Pahrump, Nevada,
24 pending trial, where he currently has only limited access to the prison law library.
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26 3. Mr. Peraza requires substantial time in the library so that he may adequately prepare for
27 his trial, but likely will not be granted such extensive time without an order from this court.
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1 4. Stand-by counsel for Mr. Peraza has conferred with counsel for the United States,
2 who has no objection to this request.

3 5. Denial of this request could result in a miscarriage of justice.

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5 6. For all the above-stated reasons, the ends of justice would best be served by an order
6 compelling the Nevada Southern Detention Center to allow Mr. Peraza access of six (6) hours
7 per day in the law library, *or as near as possible* to the aforementioned number of hours, as
8 reasonably can be accommodated by the detention center,.

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10 **CONCLUSIONS OF LAW**

11 Denial of the defendant's request for extended time in the law library at the Nevada
12 Southern Detention Center where he is currently in custody, particularly where he is representing
13 himself *pro se* in a trial scheduled for September 11, 2017, would deny him the opportunity to
14 effectively and thoroughly prepare for trial.

15 Additionally, denial of this request for extended access to the prison library could result
16 in a miscarriage of justice.

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18 **ORDER**

19 **IT IS HEREBY ORDERED** that the Nevada Southern Detention Center, located at
20 2190 East Mesquite Road, Pahrump, Nevada 89060, shall provide inmate, Frankie Allen Peraza,
21 with access to the facility's law library for six (6) hours a day, (*or as near as possible* to this
22 number of hours as can be reasonably accommodated), beginning **immediately**, until the
23 conclusion of Mr. Peraza's trial in this court, currently scheduled to begin on September 11,
24 2017.

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26 DATED this August 22, 2017

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28 
UNITED STATES MAGISTRATE JUDGE